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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 26.04.2018

+ CRL.M.C. 2175/2018

KAMLA SAHOO

..... Petitioner

versus

GOVT OF NCT OF DELHI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Manish Garg, Advocate.

For the Respondent : Mr. Arun Kumar Sharma, APP
for the State.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

26.04.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Learned counsel for the petitioner impugns order dated 06.03.2018 granting bail to respondent No. 2. He raises two grievances. Firstly, he submits that the respondent No. 2 has breached the conditions of grant of bail and secondly, he impugns the order on merits. Another grievance raised by the learned counsel for the petitioner is that the respondent failed to join the mediation proceedings.

2. Learned APP for the State submits that there is no complaint

from the Investigating Officer about the respondent having breached any of the conditions of grant of bail. He joined investigation as and when he was required by the Investigating Officer. He further submits that it is the complainant who refused to receive the dowry articles when the Investigating Officer went to the place where the articles were lying.

3. Perusal of order shows that the respondent is serving in Indian Army as a *Jawan* and is presently posted at J&K and a submission was made by his counsel before the Trial Court that he did not get leave to join mediation.

4. In my view, mere non-joining of the mediation cannot be a ground for cancellation of bail/refusal of bail.

5. By the impugned order, the Trial Court has granted bail noticing as under:

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Considering the above facts and circumstances and particularly when applicant has joined the investigations and complainant herself refused to take back her belongings/istridhan articles from the native village of applicant/husband and investigations qua the applicant are already complete, the anticipatory bail of applicant, Anajan Kumar Sahoo is hereby allowed and in the event of requirement of his arrest, the SHO/IO is directed to release the applicant, Anajan Kumar Sahoo on bail on furnishing personal bond in the sum of Rs.50,000/- to the satisfaction of the IO/SHO with one surety of the like amount and subject to the condition that applicant shall

join the investigation as and when required by IO and he shall not try to influence the witnesses or hamper trial in any manner.”

6. In view of the above, I find no infirmity in the order passed by the Trial Court. Consequently, I find no merit in the petition.

7. The petition is, accordingly, dismissed.

APRIL 26, 2018
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SANJEEV SACHDEVA, J

